

## **REMARKS**

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Office Action mailed July 11, 2006. Claims 1-7 and 10-26 stand rejected. In this Amendment, claims 1, 8, 10, 17, 19 and 23 have been amended. No new matter has been added.

### **Claim Objections**

The Examiner objected to claims 8 and 9 for being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants thank the Examiner for indicating the allowability of claims 8 and 9.

### **35 U.S.C. §102**

The Examiner rejected claims 1-7, 10-16 and 19-26 under 35 U.S.C. §102(b) as being anticipated by Chou, et al., (Foreign Patent No. WO 02/052404, hereinafter "Chou"). As discussed below, the pending claims are patentable over the above reference.

Chow discloses a new processor mode for limiting the operation of guest software running on a virtual machine (VM) supported by a virtual machine monitor (VMM). Contrary to the presently claimed invention, Chow does not teach or suggest determining whether a VMM has requested a delivery of a fault to a VM, delivering the fault to the VM when transitioning control to the VM if the VMM has requested the delivery of the fault to the VM, and if the delivery of the fault to the VM is not successful, determining whether a new fault is to be delivered to the VM. These limitations are included in the following language of claim 1:

... determining whether the VMM has requested a delivery of a fault to the VM;

if the VMM has requested the delivery of the fault to the VM, delivering the fault to the VM when transitioning control to the VM; and  
if the delivery of the fault to the VM is not successful, determining whether a new fault is to be delivered to the VM.

Similar language is also included in claims 10, 19 and 23. Thus, the present invention, as claimed in independent claims 1, 10, 19 and 23 and their corresponding dependent claims, is not anticipated by Chow. Applicants respectfully request the withdrawal of the rejection under 35 U.S.C. § 102(b).

### **35 U.S.C. §101**

The Examiner has rejected claims 23-26 under 35 U.S.C. §101 as not limited to statutory embodiments. Claims 23-26 have been amended to limit the presently claimed invention to statutory embodiments.

The Examiner has rejected claims 10-18 under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Claims 10-18 have been amended to be directed to a computer system and to include a memory, thus constituting a statutory subject matter (see MPEP, sect. 2106.IV.B).

Applicants respectfully request the withdrawal of the rejection under 35 U.S.C. §101 and submit that the pending claims are in condition for allowance.

### **DEPOSIT ACCOUNT AUTHORIZATION**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Marina Portnova at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: October 11, 2006

A handwritten signature in dark ink, appearing to read "M. Portnova", is written over a horizontal line.

Marina Portnova

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